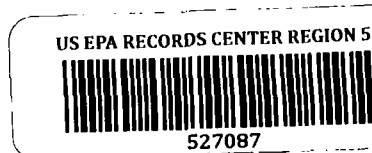


**ZIMMERMAN, KUHN, DARLING, BOYD, TAYLOR AND QUANDT, PLC
LAW OFFICES**

**412 SOUTH UNION STREET
P.O. BOX 987
TRAVERSE CITY, MICHIGAN 49685-0987
TELEPHONE 231-941-5000
FACSIMILE 231-941-5154**

**JOSEPH J. ZIMMERMAN
R. EDWARD KUHN
A. BROOKS DARLING
JAMES W. BOYD
DENNIS K. TAYLOR
JOSEPH E. QUANDT
ERIC W. PHELPS
JULIE A. HARRISON
CINA A. BOZZER
MICHAEL J. LONG
GREGORY J. DONAHUE
JENNIFER R. DERRY**

**Lansing Office
3130 Pine Tree Road
Lansing, MI 48911
Telephone 517-394-1180
Facsimile 517-393-1791**



**CHARLES H. MENMUTH
1908-1987
Of Counsel:
LEWIS C. GATCH**

August 4, 2005

**VIA FAX - 517/373-2040
Mr. Barry H. Selden, Chief
Water Division
Michigan Dept of Environmental Quality
Constitution Hall
525 West Allegan Street
Lansing, MI 48909**

**VIA FAX - 517/241-8133
Mr. Thomas Weston
Water Bureau
Michigan Dept of Environmental Quality
P.O. Box 30273
Lansing, MI 48909**

**VIA FAX - 517/373-2040
Mr. Rick Ruzs
Water Division
Michigan Dept of Environmental Quality
Constitution Hall
525 West Allegan Street
Lansing, MI 48909**

**VIA FAX - 231/775-1511
Ms. Janice Heuer
Environmental Engineer, Water Bureau
Michigan Dept of Environmental Quality
Cadillac District Office
120 W. Chapin Street
Cadillac, MI 49601-2158**

**VIA FAX - 517/241-8133
Mr. James Janiczek
Water Bureau
Michigan Dept of Environmental Quality
P.O. Box 30273
Lansing, MI 48909**

Re: Williamsburg Receiving and Storage, LLC

Dear Ladies and Gentlemen:

As we discussed yesterday, enclosed please find the request of Williamsburg Receiving and Storage for a modification of the current Administrative Consent Order (WMD Order #31-07-02) to allow for an interim discharge of process wastewater. This request is being made as an interim measure only until the Department can act upon and issue a final determination consistent with an application for permit modification which will be provided to the Department by September 1, 2005, consistent with the request of Mr. Richard Powers of your office in his letter to Williamsburg

ZIMMERMAN, KUHN, DARLING,
BOYD, TAYLOR AND QUANDT, PLC

August 4, 2005

Page 2

Receiving and Storage dated July 25, 2005. As we discussed yesterday, my client intends to fully comply with the wastewater characteristic limitations expressed in their currently active permit to discharge. In concept, this would be accomplished by "batching" processed wastewater with fresh dilution water, verifying that the batched wastewater and dilution water mix meets discharge characteristics and then discharging this mix after characteristic verification by discharging to a rapid infiltration basin to be constructed consistent with the proposal and design parameters attached. I believe that this approach can also be considered a pilot test for long term application as part of the overall permit modification. (Please see EPA design manuals referenced in the Part 22 rules which favor pilot testing for base infiltration tests.) Thus, I think authority to approve this interim measure can be found not only under the auspices of Section 2 and Section 3 of the current Administrative Consent Order but also as part of a pilot test program as referenced in the Part 22 rules.

On the long term, it is our hope to separate the brine rich waste streams by oscillating plant operations so that the richer waste streams can be captured and either sold for dust control or, if necessary, containerized and shipped to an appropriate disposal facility consistent with requirements under Part 121 of NREPA. Thus, the necessary volumes of discharge water will decrease significantly when the richer waste stream is separated.

I would appreciate your review and comments/approval for this measure at your very earliest convenience. As we discussed, my client is containerizing its processed wastewater and, once capacity is exhausted, the plant will have to close. Also, exhausting capacity for storage makes dilution more problematic, as we currently anticipate using sealed vessels for the purposes of batching and diluting processed water. If all the tanks are full, there will be no room to batch sufficient dilution waters.

Please review the enclosed proposal and provide your comments and suggestions at your very earliest opportunity. My client and I sincerely appreciate your attention to this matter.

Sincerely,

ZIMMERMAN, KUHN, DARLING,
BOYD, TAYLOR AND QUANDT, PLC



Joseph E. Quandt

Direct Dial: (231)947-7901 x115

jequandt@zimmerman-kuhn.com

JEQ:shp
enclosure

cc: Chris Hubbell